



Chesterfield County, Virginia

Memorandum

DATE: August 7, 2006

TO: Chesterfield County Planning Commission

FROM: Richard McElfish, Director of Environmental Engineering
Scott Flanigan, Water Quality Manager

SUBJECT: Swift Creek Reservoir Watershed Master Plan and Maintenance Program – Status Report

As a result of issues raised concerning the “**Swift Creek Reservoir Watershed Master Plan**” (*Watershed Master Plan*) during the July 18, 2006 CPC work session on the “Upper Swift Creek Plan”, staff has developed the following options and alternatives for the path forward to address regulatory issues and feedback from EPA, USACOE and USFWS concerning *Watershed Master Plan*. The tasks are divided up into three phases, short-term, near-term and long-term. Many of the tasks will be conducted concurrently with the phases indicating expected schedule for completion.

Additional updates and detail information addressing each of the tasks outlined below, if necessary, will be provided during future CPC work sessions.

C: Lane Ramsey
Pete Stith
Kirk Turner

1. Short-term (should be address in the next three to four months)

The tasks outlined below are to address on-site stormwater management and the issues generated by these changes. Additionally, information gained in modeling current land-use and predicted development and its impact on water quality will be used to guide future decisions.

a. County Ordinances

i. Upper Swift Creek Watershed Ordinance and others

Adopt amendments to zoning and other ordinances, as necessary, which would require development to treat stormwater runoff onsite and/or to implement other remedies.

ii. Pro-rata Share Program

Adopt amendments to the funding ordinances, as necessary to address contributions, fee structure and accounts for developments that are under construction or in the review process.

iii. Best Management Practice (BMP) Maintenance Fee

Adopt amendments to the funding ordinances, as necessary to address contributions, fee structure and accounts for current BMP maintenance program. The maintenance fee per residential unit would remain. A fee may be added for impervious acres for sites.

iv. Maintaining Silt Basins On-site

Adopt amendments to address that section of the erosion and sediment control ordinance pertaining to the Swift Creek Reservoir, which requires sediment basins to be maintained on-site until a permit, to allow construction, for a regional facility has been received.

b. County Program Policy

Review current program policies, which may allow for the reduction of stormwater treatment and loading outside of current ordinances. An example of this, would be, implementation of the current pollutant credit program already in use outside of the Swift Creek Reservoir Watershed. Environmental Engineering credit program consists of BMP facilities that have additional unused treatment capacity. The additional capacity is converted to phosphorous credits that the owner may sell.

c. Zoning Cases

i. Future Zoning Cases

As a condition of any future zoning case, staff will request a proffer that all stormwater management will be addressed onsite until such time that the county can develop a revised regional approach to treat stormwater.

ii. Property Already Zoned and in the Development Phase

Provide technical guidance on stormwater management and site development that can be implemented within the context of existing ordinances.

iii. Property Already Zoned and not in the Development Phase

Stormwater management impacts should be addressed onsite until such time that the county can develop a revised regional approach to treat stormwater.

d. Determine Annual Phosphorus Load Contributions to Reservoir

i. Current Annual Total Phosphorus Loads

Model current developed land to determine projected annual loads.

ii. Predicted Annual Total Phosphorus Loads

Determine annual phosphorus load contributions from Powhatan County, property rezoned, in the site review process, tentative process or those developments that may be considered **vested** under current “**Swift Creek Reservoir Watershed Master Plan.**”

iii. Determine the Reduction in Annual Total Phosphorus Loads

Similarly, determine annual phosphorus load removal associated with existing on-site controls, existing BMPs and new/anticipated RPAs.

iv. Determine the predicted in-lake TP Concentrations

This is critical to ensure that net annual phosphorus load does not exceed projected contribution (25,000 lbs/yr) based on current modeling. A projected load greater than 25,000 lbs/yr could result in exceeding the recommended county criteria of 0.05 mg/L or the pending State Water Quality Standard of 0.04 mg/L for an in-lake TP concentration.

e. Regional Pond Facility

Submit expanded alternatives assessment to the Army Corps of Engineers, USEPA, USFWS, and VA DEQ as part of ongoing efforts to obtain permits for modified Charter Colony pond(s).

f. Powhatan County

Determine Powhatan County’s current land-use plan and its impact on water quality in the Reservoir. Information on the Powhatan’s land-use plan will be needed to determine TP loading in (c.ii.) above.

2. Near-term (six to nine months)

The tasks outlined below are to address on-site stormwater management and the direction and modification to the *Watershed Master Plan*. Any modifications to the current plan would require Board of Supervisor’s approval.

a. Non-conventional Stormwater Treatment Designs

Upon amending the Upper Swift Creek Watershed Ordinance, residential uses would be required to meet phosphorus loading not to exceed 0.22 lbs/ac/yr. Some of the developments will be unable to meet the 0.22 lbs/ac/yr loading using conventional onsite stormwater treatment facilities (i.e. ponds). Therefore the county would need to develop ordinances or policies to address the non-conventional treatment systems such as Low Impact Development (LID) or better site design. These additional measures would allow developments greater flexibility in meeting the more restrictive loading requirements. This would require the need for new procedure to be put in place to make sure that LID is incorporated into the review process. Developments still unable to meet the loading requirements may be required to address the additional pollutant load by other means. This could include other measures within the Swift Creek Reservoir such as water quality pollutant trading, purchase of open or conservation space, alternative credit program or off-site treatment.

b. Study the feasibility of other types of pollutant trading options for protection of water quality in the Reservoir.

i. The following analyses would be the first two steps in such a feasibility study.

1) Assessment of Pollutant Baselines for Trading Purposes

This would involve determining the potential credit supply (or demand) available from the reservoir, as well as the baseline pollutant control or reduction requirements faced by landowners and developers (for developed land, as well as land that may be developed, or otherwise undergo a change in use).

2) Projection of Current and Future Loads Under the Current Management Program

This would involve an analysis that might produce an “Expected” future load pattern, as well as a “Low” and a “High” case that would reflect different assumptions about growth rates and implementation of on-site or other controls. The current land-use plans have already been modeled. Other scenarios may be developed based on different site design within the context of current zoning.

A summary of currently available estimates for loading to the Reservoir and a preliminary assessment of potential credit supply, and technical issues that would need to be addressed ahead of, or as part of the trading analysis, would be identified as part of the short-term and long-term assessments.

ii. The second two steps in the feasibility study would develop alternative trading scenarios to be considered and evaluate them against key decision criteria.

1) Development of Alternative Trading Frameworks

Based on the comparison of future projected loads without trading to a target loading cap necessary to meet water quality goals, one or more trading frameworks would be developed for consideration. These could be complementary, or mutually exclusive. For example, it is possible that the reservoir could serve as a “County Credit Bank”, from which the County could allocate or sell phosphorus reduction credits to developers, under certain rules. Additionally, it may be desirable or necessary to foster a “private” market, whereby developers and existing landowners that reduce loads below their baseline responsibilities could sell credits to developers that cannot technically or cost-effectively meet their on-site baseline requirements.

2) Evaluation of “With Trading” Scenarios Against the Base Case

In this step, key decision criteria would be established to define feasibility and used to evaluate and compare the scenarios. This step would involve projecting future loads under each scenario, as determined by the trading rules and assumptions about how those rules influence credit demand and supply.

c. Develop potential modifications to the *Swift Creek Reservoir Watershed Master Plan*

i. Identify and Evaluate Alternative & Additional Treatment Measures

Additional treatment measures should be developed that could be funded by the future pro-rata fees and expansion of previously identified treatment measures to new locations. This may include the plan to be modified on an interim basis, then modify more completely as part of the longer-term actions. These measures would be used to reduce pollutant loads to the reservoir and may include the following types of projects:

- Restoration, protection and enhancement projects
 - Streams, wetlands and riparian buffer
- Stormwater management and source controls – existing developments and retrofitting

- Retrofit stormwater facilities and existing ponds
- Retrofit culverts and drainage systems, including vegetated open channels
- Outfall controls (end of pipe treatments or facilities that divert smaller storms, provide energy dissipation, and/or treatment of stormwater)
- Wetland and Stream Channel protection
- Bioretention facilities, where soils permit
- Allow more use of rain barrels and dry wells for citizens' homes and businesses
- Manufactured BMPs (non-residential areas only)

3. Long-term (12 months plus)

The tasks outlined below are to address additional stormwater management treatments, designs, pollution prevention, and ordinances that would influence pollutant loadings. Additional monitoring and maintenance programs that should be develop to ensure goals are met.

a. Contributions and Reduction of Pollutant Loadings

i. Compensatory Mitigation Projects

The county should actively pursue compensatory mitigation projects or stream mitigation bank to help address stream and wetland restoration potential within the Swift Creek Reservoir Watershed.

ii. Determine the impact of any additional TP contributions not address as part of the current model

These could include stream erosion, failing septic systems, animal contributions and phosphorus cycling in the reservoir, changes in development practices, construction contributions and loss of natural treatment systems (i.e. wetlands, stream connection with flood plains, decrease/increase ground water inputs).

iii. Certain TP removal mechanisms were not accounted for in modeling efforts

Modeling did not take into account those BMPs or lakes/ponds that currently exist, and the additional Resource Protection Areas (RPA) as a result of the on-site determinations. This would result in a decrease of TP loads to the reservoir.

b. Tracking System for Expenses and Evaluation

Develop a watershed tracking system for stormwater treatment and facility evaluation. Develop a time line to include periodic modeling, updates and analysis of watershed data to track goals. Pilot studies may be conducted of two watersheds with the greatest amount of development (i.e., Little Tomahawk and West Branch).

c. Modifications to Site Plan and Subdivision Ordinances

Conduct a complete review of site plan and subdivision ordinances to incorporate consistent standards for modified site design, modified housing densities and smaller lot sizes, reduced impervious surfaces through measures such as modified street widths, reduced setbacks and frontages, modified parking ratios, shared driveways, green area set-asides, and tree preservation.